

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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Attorney for the debtor

In Re:

Dorothy Jean Gilchrist and Tyrone Gilchrist



Order Filed on March 17, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case Number: 14-30649 (ABA)

Hearing Date:

Judge: Andrew B. Altenburg

Chapter: 13

Recommended Local Form:


☐ Followed

☒ Modified

AMENDED ORDER TO EMPLOYER OR OTHER PARTY
TO PAY TO THE TRUSTEE AND MORTGAGEE(S)

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: March 17, 2017


Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

The above named debtor has pending in this Court a case for the adjustment of debts by an individual with regular income under the provisions of Chapter 13 of Title 11 U.S.C., and pursuant to the provisions of said statute and of the debtor's plan, the income to the supervision and control of the trustee of this Court as may be necessary for the execution of the debtor's plan. Under the provisions of 28 U.S.C. §1334(d) and 11 U.S.C. §1306(a), this Court has exclusive jurisdiction of all property of the debtor including earnings from services performed during the pendency of this case. Pursuant to 11 U.S.C. §1325(c), and entity from whom the debtor receives income shall pay all or any part of such income to trustee as may be ordered by the Court. Pursuant to 11 U.S.C. §105, the Court may issue any order that is necessary or appropriate to carry out the provisions of Title 11. A portion of the debtor's earnings or other income is necessary for the execution of the debtor's plan.

NOW, THEREFORE, IT IS ORDERED that until further order of this Court, the employer or other party providing income to said debtor

Department of Treasury
State of New Jersey
Attn: Payroll
Trenton, NJ 08625-0221

shall deduct the earnings or income of said debtor the following sums each pay period beginning on the next pay day following the receipt of this order, and shall deduct a similar amount for each pay period thereafter, including any period for which the debtor receives periodic, or lump sum, payment for or on account of vacation, termination or other benefits arising out of present or past employment of the debtor, and to forthwith remit the sums so deducted to the following persons, or their successors in interest:

Trustee
Ms. Isabel C. Balboa
P.O. Box 1978
Memphis, TN 38101-1978

Amount: \$ 212.00
to be deducted and paid **monthly FOR 32 months**

IT IS FURTHER ORDERED that the employer or other party making payments shall note the debtor's name and bankruptcy case number on the checks to the trustee, and shall note the debtor's name and mortgage account number on the checks to the mortgagee(s).

IT IS FURTHER ORDERED that said employer or other party shall notify said trustee and mortgagee(s) if the earnings or income of said debtor are terminated, and the reason for such termination.

IT IS FURTHER ORDERED that all earnings and wages of the debtor, except the amounts required to be withheld by the provisions of any laws of the United States, the laws of any State or political subdivision, or by any insurance, pensions or union dues agreement between employer and the debtor, or by the order of this Court, shall be paid to the debtor in accordance with employer's usual payroll procedure.

IT IS FURTHER ORDERED that no deductions for or on account of any garnishment, wage assignment, credit union or other purpose not specifically authorized by this Court shall be made from the earnings of said debtor.

IT IS FURTHER ORDERED that an order dismissing the debtor's bankruptcy case shall constitute a termination of the requirement to make payments under this order.

IT IS FURTHER ORDERED that this order supersedes previous orders, if any, made to the subject employer or other party in this case.

IT IS FURTHER ORDERED that the attorney for the debtor shall serve copies of this order on the employer or other party, the trustee, and the mortgagee(s) within five days.

DATED: _____

Andrew B. Altenburg, Judge
United States Bankruptcy Court

IT IS A VIOLATION OF 11 U.S.C. §1674 AND N.J.S.A. 2A:170-90.4 FROM AN EMPLOYER TO DISCHARGE AN EMPLOYEE OR TAKE ANY OTHER DISCIPLINARY ACTION BECAUSE OF A WAGE GARNISHMENT. AN EMPLOYER VIOLATING SAID STATUTES IS SUBJECT TO FINES AND IMPRISONMENT.